



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.



**(1) Second Account and Status Report of Conservator of Estate and Petition for Settlement Thereof, (2) for Compensation for Conservators of the Person and Estate, and (3) Compensation for Attorneys [Prob. C. §2620]**

<b>Age: 41</b>	<b>WESTAMERICA BANK</b> (Trust Officer: Catherine S. Johnson), Successor	<b>NEEDS/PROBLEMS/</b> <b>COMMENTS:</b>  <b><u>SEE PAGE 2</u></b>
<b>DOB: 10-27-70</b>	Conservator of the Estate, is Petitioner. (County Bank was appointed 9-2-08 and acted until acquired by Westamerica.)	
	<b>EDWINA WOOLARD</b> , Mother, continues to serve as Conservator of the Person (appointed 11-17-88).	
	<b>Account period: 9-1-09 through 8-31-11</b>	
	Accounting: \$ 1,192,968.31	
	Beginning POH: \$ 941,405.86	
	Ending POH: \$ 842,580.03 (\$27,151.37 is cash)	
	<b>Conservator of the Person Edwina Woolard: \$1,800.00 (120 hours @ \$15/hr)</b>	
	<b>Family Law Attorneys Lerandean &amp; Lerandean, LLP: \$12,862.50</b> (Balance due for legal services in connection with Family Law case # 09CEFL06280 involving a domestic violence restraining order and child custody and visitation involving Conservatee's youngest child Samantha (3). There is a current restraining order protecting Conservatee from her former live-in boyfriend and father of Samantha that expires 11-4-12. Per Declaration of Attorney Paul Lerandean, fees totaling \$20,242.50 were incurred, and \$12,862.50 remain unpaid. \$7,380.00 was authorized at the last accounting. The declaration describes the legal services rendered, and describes that the firm spent more time than usual, but this was necessary and reasonable due to the Conservatee's limited mental capacities and the nature of the proceedings.)	
	<b>Probate Attorneys Baker Manock &amp; Jensen, PC: \$39,130.50, plus costs of \$750.00 (Court filing fees)</b> Declaration of Attorney Jeffrey Jaech describes that until a life coach was hired for Conservatee, their office, Specifically paralegal Sally Ladd, was required to deal with a "whole assortment of problems" of Conservatee and her children. Conservatee often refused to communicate with her mother (Conservator of the Person) and therefore, contacted the law firm for non-legal problems.	
	<b>Petitioner expressed concern</b> regarding Conservatee's income vs. expenditures and has made changes that will result in significant savings, including:	
	<ul style="list-style-type: none"><li>• Instead of a nanny at a total cost of \$54,717.86 for 11 months, Conservatee's youngest child is now in pre-school (tuition \$5,800.00/yr)</li><li>• Instead of a personal housecleaner at \$25/hr working up to 2 days/wk, Conservator hired a cleaning service to come once a week @ \$175.00/wk</li><li>• Due to serious Conservatee's difficulties in coping with day-to-day problems, such as plumbing issues, etc., as well as budgeting her allowance, she was contacting the law firm for many non-legal issues, incurring fees. Conservator hired a Life Coach, Michelle Biggs, who meets with Conservatee weekly to assist with various tasks and issues. Conservatee now calls Ms. Biggs when she needs assistance with everyday issues.</li></ul>	
	<b>SEE PAGE 2</b>	

**SUMMARY (Continued):**

**Conservator of the Estate Westamerica Bank: \$17,870.03** (1% of the average market value of the estate) Declaration of Catherin S. Johnson, Assistant Vice President and Trust Officer, describes that the Trust Officer monitors the investment strategy and allocation of assets in light of objectives and cash needs of the conservatorship. The declaration states the bank reviews and approves proposed trades presented by Wright Investors' Services and initiates trades for mutual funds. In addition, the bank is responsible for the Conservatee's tax returns and engaged a CPA to prepare the returns. The bank spends time gathering and sending the information to the CPA, and later reviewing, signing and mailing the returns, and also responds to inquiries from IRS or FTB, or contacts the CPA to assist in response. The bank also engaged a CPA to review and prepare accountings to Court requirements.

The bank also provides quarterly and annual statements to the Conservator of the Person, and maintains a computer system that provides daily investment cash positions for each account and lists daily transactions. The bank reviews each report to determine appropriate action, if any. The bank's trust operations unit also monitors and processes routine and non-routine disbursements.

**Petitioner prays for an Order:**

1. Approving, allowing and settling the second account and report of the conservatorship as filed;
2. Authorizing compensation to Conservator of the Person Edwina Woolard of \$1,800.00;
3. Authorizing compensation to Conservator of the Estate Westamerica Bank of \$17,870.03;
4. Authorizing compensation to Baker Manock & Jensen, PC, of \$39,130.50;
5. Authorizing reimbursement of costs to Baker Manock & Jensen, PC, of \$750.00;
6. Authorizing payment to Lerandean and Lerandean of \$12,862.50; and
7. Such further orders as the Court considers proper.

**NEEDS/PROBLEMS/COMMENTS:**

1. Need account statements per Probate Code §2620(c).
2. The Court may require further information or clarification regarding the following expenses related to the residence:
  - Earthquake insurance (\$281.00 on 12-2-09, etc.)
  - Appraisal (\$375.00 on 7-20-10)
  - "Annual Inspection" (\$250.00 on 9-23-10)

*For example: Is there a reason earthquake insurance on this Fresno residence is necessary? Was there a transaction with the home in 2010 that required appraisal and inspection? The home does not appear to be encumbered. Is the inspection annual? If so, what is the purpose?*

3. Examiner notes that certain items were purchased, but not included as property on hand belonging to the estate. Although Conservatee appears to own various items of personal property, such as furniture, etc., this type of item does not appear to have been included historically in this particular conservatorship estate.

Because this Examiner is not entirely familiar with the extensive history of this conservatorship estate, the Court may require brief explanation. For example, the Court may require clarification regarding why these "big-ticket" items are not considered property on hand:

- Dishwasher \$726.91 on 3-31-10 and 4-12-10
- Line items referencing Alltrade Construction for tear-down and relocate existing pool and installation of Jungle Gym totaling approx. \$10,000.00 between 5-4-10 and 6-7-10.
- Refrigerator \$1,376.65 on 8-31-11
- Washer \$392.81 on 1-27-11

(1) First and Final Report of Status of Administration on Waiver of Accounting and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Compensation; (3) for Allowance of Extraordinary Compensation for Reimbursement of Costs Advanced; and (4) for Final Distribution (Prob. C. 11600 et seq)

DOD: 7/1/2008			<b>ANNA FERRUA-ALMEIDA,</b> Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			Accounting is waived.	
Cont. from				
	Aff.Sub.Wit.		I & A - <b>\$717,194.80</b>	<b>1. Need Property on Hand schedule. California Rules of Court, Rule 7.550(b)(4) and Local Rule 7.13. (Note: Petition does include the property on hand <i>after</i> deducting attorney fees and costs however the property on hand should be listed as of the filing of the petition without deductions for attorney fees and costs.)</b>
✓	Verified		POH - <b>\$516,930.73</b>	
✓	Inventory		Executor - <b>waives</b>	
✓	PTC		Attorney - <b>\$13,940.52</b> (statutory)	
✓	Not.Cred.		Attorney X/O- <b>\$5,104.11</b> (per itemization and declaration for the successful defense of a Will contest)	
✓	Aff.Mail	W/	Costs - <b>\$1,887.69</b> (filing fees, certified copies, Probate Referee, publication)	
	Aff.Pub.		<b>Distribution, pursuant to Decedent's Will, is to:</b>	
	Sp.Ntc.		Anna Ferrua-Almeida - \$48,976.91 and 1/3 interest in real property.	
	Pers.Serv.		Domenico Ferrua - \$48,976.91 and 1/3 interest in real property.	
	Conf. Screen		Samantha Giles - \$48,976.91 and 1/3 interest in real property.	
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

Reviewed by: KT
Reviewed on: 1/5/12
Updates:
Recommendation:
File 3 - Ferrua

Age: 16 years DOB: 9/14/1995		<p><b>GARY SCHAFFER and SHANA SCHAFFER</b>, paternal uncle and aunt/Guardians, are petitioners.</p> <p><b>The Court file contains the following information:</b></p> <ul style="list-style-type: none"> <li>The guardianship estate receives approximately \$2,000.00 per month income from Worker's Compensation Appeals Board. The funds are placed into a blocked account.</li> <li>Guardians receive \$1,020.00 from Social Security for the minor's benefit. This money is paid directly to the guardians for the minor's support and is not accounted in the court accountings.</li> <li>The Guardians are allowed to withdraw up to \$280.00 per month from the blocked account for services provided by Dr. Robert D. Wells.</li> <li>The Guardians are allowed to withdraw \$410 per month for Cullinan Education Center.</li> </ul> <p><b>Petitioners state</b> they have become aware that Kaleb was entitled to Survivor Income based on a life insurance policy through Standard Insurance Company held by North Central Fire District for Kaleb's deceased father. Kaleb is entitled to survivor income in the sum of \$1,247.75 per month. The last payment was made in January 2009, thus, Kaleb would be entitled to a total amount of \$30,432.50 and thereafter monthly payments of \$1,247.75 until he is age 19 or age 23 as long as he remains a full time student. Standard Insurance Company will not release the funds without a Court Order because the Letters specify "guardian is not authorized to take possession of money or any other property without a court order."</p> <p>Petitioners therefore request the Court order the funds currently held from Standard Insurance Company, be deposited into a blocked account at WestAmerica Bank. (<b>Note: This request was approved at the 11/16/11 hearing and an order has been signed.</b>)</p> <p><i>Please see additional page</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 11/16/11. Minute Order states the Court approves the request to increase the blocked account by the amount of the Standard Insurance. Additionally, the Court approved the withdrawal of \$4,930.00. <i>The remaining issues (attorney fees) were continued.</i></p> <p><b>1. Attorney fee statement for attorney Brian Pinion includes a bill dated February 2, 2010 showing a past due balance of \$2,082.27 and a payment of \$1,642.53. Mr. Pinion was allowed fees pursuant to Court order dated 8/13/10 totaling \$8,875.00 for services rendered through 12/10/09 and attachment 6E shows was paid on 8/17/10. The first entry on the February 2, 2010 statement is for 1/21/10. Need billing statements for 12/11/09 through 1/21/10 showing what services were provided totaling \$442.74 (the difference between the past due amount of \$2,082.27 and the payment of \$1,642.53).</b></p> <p><i>Please see additional page</i></p>
Cont. from 111611			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: KT
Reviewed on: 11/10/11
Updates:
Recommendation:
File 4 - Schafer

Petitioner state as of this year, Kaleb is no longer in need of tutoring from Cullinan Education Center and has stopped attending.

**Current balance of the blocked account is \$50,059.09**

**Supplemental and Revised Declaration of Nancy Stegall in Support of Attorney Fees Request filed on 1/3/12.**

**Petitioners request authority to withdraw funds from the blocked account as follows:**

- 1. \$4,930.00** for bedroom furniture, school clothes and personal expenses for minor. Petitioners state the minor has recently moved into his own room in their home and does not have any bedroom furniture. Kaleb has also outgrown his entire wardrobe and will need to purchase all new clothes. Kaleb has shown an interest in weight lifting and body building and would like to pursue this hobby. (**Note: This request was approved at the 11/16/11 hearing and an order has been signed.**)
- 2. \$2,895.00** to Attorney Brian Pinion for attorney fees in connection with the guardianship.
- 3. \$2,066.00** to Attorney Nancy Stegall for attorney fees for the preparation of this petition.

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**Additional NEEDS/PROBLEMS/COMMENTS:**

- 2. Attorney fee statement for attorney Brian Pinion includes \$197.15 in interest on unpaid balances. Probate Code §2647 states, “No attorney fees may be paid from the estate of the ward or conservatee without prior court order. The estate of the ward or conservatee is not obligated to pay attorney fees established by any engagement agreement of other contract until it has been approved by the court.” Therefore, it appears that the attorney should not be allowed interest on the unpaid attorney fees.**
- 3. Need Receipt for Blocked Account (Order to Deposit Money into Blocked Account was signed on 12/1/11.)**

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees (Prob. C. 9202, 10800, 10810, 10951, 11600)

<b>DOD: 10/11/08</b>			<b>PUBLIC ADMINISTRATOR,</b> Administrator with Will Annexed, is petitioner.  Account period: 2/17/09 – 6/30/11  Accounting - <b>\$139,225.00</b> Beginning POH - <b>\$129,635.00</b> Ending POH - <b>\$ 6,422.40</b>  Administrator (statutory) - <b>\$5,041.00</b> Administrator X/O (per Local Rule for sale of personal property and preparation of tax returns) - <b>\$1,127.85</b>  Attorney (statutory) - <b>\$5,041.00</b>  Court fees (certified copies) - <b>\$15.50</b>  Bond Fee (o.k.) - <b>\$812.28</b>  Closing - <b>\$1,000.00</b>  <b>Petitioner states</b> that the estate is insolvent. After payment of fees and commissions there will be no estate left to pay creditors or heirs.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Petition indicates the decedent's ½ interest in real property valued at \$118,000.00 was foreclosed upon. <i>Estate of Stein (1968) 267 Cal. App. 2, 631</i> found when calculating the statutory fees for estates where there was foreclosed property the loss is the difference between the inventory and appraisal value and the encumbrances on the property. Petition did not include information regarding the encumbrances on the property therefore examiner is unable to verify that the statutory fees and commissions are correct.</b>
<b>Cont. from</b>				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters	2/18/09		
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

Reviewed by: KT
Reviewed on: 1/5/12
Updates:
Recommendation:
File 5 - Coker



Accounting by James L. Saccheri

**JAMES L. SACCHERI** is petitioner.

**NEEDS/PROBLEMS/COMMENTS:**

Continued from 11/2/11. As of 1/5/11 the following issues remain:

1. Accounting does not comply with Probate Code §16063 and §1060 et seq.
2. Petition does not include the names and addresses of those entitled to notice. Probate Code §17201.
3. Need Notice of Hearing. Probate Code §17203.
4. Need proof of service of the Notice of Hearing on all interested parties. Probate Code §17203.
5. Need order.

Reviewed by: KT

Reviewed on: 1/5/12

Updates:

Recommendation:

File 8 – Marando

Cont. from

Aff.Sub.Wit.

Verified

Inventory

PTC

Not.Cred.

Notice of  
Hrg

Aff.Mail

Aff.Pub.

Sp.Ntc.

Pers.Serv.

Conf. Screen

Letters

Duties/Supp

Objections

Video  
Receipt

CI Report

9202

Order

Aff. Posting

Status Rpt

UCCJEA

Citation

FTB Notice

Atty Sanoian, Joanne (Court-appointed for Conservatee – Petitioner)

## Petition for Attorney Fees (Prob. C. 1472)

		<p><b>JOANNE SANOIAN</b>, Petitioner, was Court-appointed to represent the Conservatee on 5-26-11.</p> <p>Robert B. Jones, nephew, was appointed Conservator of the Person and Estate on 10-20-11.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the petition to appoint a conservator.</p> <p>Petitioner asks that she be paid \$8,268.00 from the conservatorship estate for 20.7 attorney hours @ \$200.00-\$300.00/hr. and 22.75 staff hours @ \$40.00-125.00/hr. (1.2 attorney hours were not charged.)</p> <p>Services are itemized by date and include review and drafting of documents, conferences with client and other parties in connection with deposition, discovery, settlement, etc., and court appearances.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 1-5-12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Lininger</b></p>	

		<b>BRUCE BICKEL</b> , a licensed fiduciary, was appointed Successor Trustee of the Trust on 8-10-11 with bond of \$3,600,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Bond of \$3,600,000.00 was filed 9-19-11; however, as of 1-4-12, there has been no documentation filed regarding adequacy of the bond.  Therefore, need Inventory and Appraisal or other sufficient documentation (declaration, etc).  <u>Minute Order 11-8-11:</u> The Court continues the matter to 1-18-12 and set further status hearing for 3-7-12 for the filing of the first account. The Court advises counsel that if the bond amount turns out to be adequate and the inventory and appraisal is filed by 1-18-12, the matter can be taken off calendar.
Cont. from 110811		The Court set this status hearing for review of the bond and to determine its adequacy pursuant to an Inventory and Appraisal to be filed prior to the hearing.  Bond of \$3,600,000.00 was filed 9-19-11.	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 1-4-12	
		Updates:	
		Recommendation:	
		File 10 - Johnson	

## Petition to Establish Child Care and Visitation of the Minor Child Gabriel Villa

13

DOD: 2/19/11		<b>SHANISE JOHNSON</b> , Conservator, is petitioner.  Account period: 8/17/10 – 2/19/11  Accounting - ????? Beginning POH - \$141,411.11 Ending POH - \$137,988.35	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 10/20/11. As of 1/5/12 the following issues remain:  This is actually the First Amended Second and Final Account. Need Second Amended Second and Final Account based on but not limited to the following:  1. Accounting does not balance. Total charges and total credits must be the same amount for the account to balance.  2. Summary of account listed in the narrative of the petition is not the same as the summary of account on the schedules attached to the petition.  3. It appears that the ending cash on hand is the balance of the bank account on 2/28/10 however the account period ends on 2/19/10. Therefore the balance of cash on hand should be the balance on 2/19/10.  4. Need Order.	
Cont. from 102011				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			N/A
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	2620(c)			
<input type="checkbox"/>	Order	X		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 1/5/12				
Updates:				
Recommendation:				
File 14A - Earl				

Age: 2/19/11		<b>SHANISE JOHNSON</b> , Conservator, is petitioner.  Account period: 2/20/11 – 5/31/11  Accounting - ????? Beginning POH - \$137,988.35 Ending POH - \$135,343.72	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 10/20/11. As of 1/5/12 the following issues remain:  This is actually the Subsequent Second and Final Account. Need Amended Subsequent Second and Final Account based on but not limited to the following:  5. Accounting does not balance. Total charges and total credits must be the same amount for the account to balance.  6. Summary of account listed in the narrative of the petition is not the same as the summary of account on the schedules attached to the petition.  7. Need change in asset schedule showing the cemetery plot as no longer an asset of the estate.  8. Petition does not state the disposition of the remaining assets of the estate.  9. Need Order.
Cont. from 102011			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	N/A		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 2620(c)			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: KT
Reviewed on: 10/17/11
Updates:
Recommendation:
File 14B – Earl

14B

**Petition for Order Approving Modification of Trust Under Probate Code Sections 15403 and 15409 [Probate Code 17200(b)(10)(13)]**

		<b>GEORGIANNE H. ERROTABERE</b> , Trustee and Beneficiary, and Beneficiaries <b>DANIEL DOMINGO ERROTABERE</b> , <b>JEAN EMILE ERROTABERE</b> , and <b>REMI PHILLIP ERROTABERE</b> , are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioners state</b> the Jean Errotabere Testamentary Trust was created by court order 4-29-1980 and amended by court order dated 6-6-1989.	<p>1. Notice was not served on the minor grandchildren of the trustor (contingent beneficiaries) pursuant to Probate Code §17203 and Cal. Rule of Court 7.51(d).</p> <p>Petitioners state that the interests of the minor contingent beneficiaries are identical to those of the present beneficiaries; therefore, they are adequately represented; however, notice (30 days) is still required per the code.</p> <p><i><b>Note:</b> Examiner notes that the adult grandchildren signed consent to this modification and waivers of notice of this hearing; however, their notice was sent "C/O" their respective parents. Because they each waived notice, this is not an issue; however, for future reference, direct notice is required (not "C/O") per Cal. Rule of Court 7.51(a).</i></p>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<p>2. Probate Code §15602 requires an individual who is not named as a trustee in the trust to give a bond to secure performance, unless excused for compelling circumstances.</p> <p>Petitioners request to modify the trust under §15403 to name the proposed successor trustees without bond rather than appoint pursuant to §15660.</p> <p>Petitioners also request that the modified language not require bond for any successor appointed pursuant to the modified terms.</p> <p>The Court may require bond or clarification regarding compelling circumstances, and/or authority.</p> <p><u>If bond is required</u>, need estimated value of trust assets.</p>
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		<p>Reviewed by: skc</p> <p>Reviewed on: 1-5-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 - Errotabere</p>
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/O	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	<p>The trust does not provide mechanism for further appointment. Petitioners seek to modify the trust so that upon the resignation of Georgianne H. Errotabere, the three sons of the trustor and Georgianne H. Errotabere, Petitioners and Beneficiaries Daniel Errotabere, Jean Errotabere and Remi Errotabere are appointed successor co-trustees, with the survivors or survivor thereof serving as co-trustees or sole trustee. Upon the death or resignation of the proposed sole successor trustee, a successor trustee may be chose by the unanimous written consent of the adult beneficiaries and the parents or guardians of minor beneficiaries without court approval.</p> <p>No bond would be required of any trustee or successor trustee named in or appointed pursuant to the terms of the trust. No other trust provisions would be modified.</p> <p>All present beneficiaries and all adult contingent beneficiaries consent to the modification pursuant to Probate Code §15403 and waive notice of hearing.</p> <p>Petitioners also refer to Probate Code §15409 with respect to modification based on changed circumstances, and state that the trustor could not have known over 30 years ago that the two successor trustees would decline to serve.</p> <p><b>Petitioners state that because the present trustee wishes to resign, modification of the trust is necessary to provide mechanism for appointment of successor trustees that is valid and not subject to question, challenge or delay.</b></p>	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

**Petition for Appointment of Temporary Guardian of the Person**

<b>Age: 13</b> <b>DOB: 12/17/98</b>		<b><u>GENERAL HEARING 03/06/12</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>YOLANDA GARZA</b> , paternal grandmother, is Petitioner.		<ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Temporary Guardianship</i> <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for:           <ul style="list-style-type: none"> <li>- Tommy Ochoa (father)</li> <li>- Angie Moncanalis (mother)</li> </ul> </li> <li>3. The UCCJEA is incomplete, need minor's residence information for the past 5 years.</li> </ol>	
		Father: <b>TOMMY OCHOA</b>			
		Mother: <b>ANGIE MONCANALIS</b>			
		Paternal grandfather: NOT STATED			
		Maternal grandparents: NOT STATED			
		Petitioner states that temporary guardianship is necessary because the parents are unstable.			
<b>Cont. from</b>					
	<b>Aff.Sub.Wit.</b>				
✓	<b>Verified</b>				
	<b>Inventory</b>				
	<b>PTC</b>				
	<b>Not.Cred.</b>				
	<b>Notice of Hrg</b>	x			
	<b>Aff.Mail</b>				
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>	x			
✓	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
✓	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
✓	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				
				<b>Reviewed by:</b> JF	
				<b>Reviewed on:</b> 01/06/12	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 18 - Ochoa</b>	